

Notice of Allowability

Application No.

10/810,351

Applicant(s)

KATSURA, TAKEHISA

Examiner

Marc A. Scharich

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/8/2006.
2. ☒ The allowed claim(s) is/are 21-38.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Troy M. Schmelzer on 5/4/2007. *The application has been amended as follows:*

Amendments to the Claims

Claim 27 is *amended to*:

-- 27. The body frame ~~member~~ of claim 26, wherein each rear arm bracket has an approximately U-shaped cross-section comprising front and rear sidewalls extending from front and rear edges of a vertically extending connecting wall. --

Claim 28 is *amended to*:

-- 28. The body frame ~~member~~ of claim 27, wherein inwardly facing external faces are defined on upper portions of the connecting walls of the rear arm brackets adjacent the connections with the tank rail member. --

Claim 29 is *amended to*:

-- 29. The body frame member of claim 28, wherein outwardly facing external faces are formed on lower portions of the connecting walls of the rear arm brackets adjacent the connections with the down tubes. --

Claim 30 is *amended to*:

-- 30. The body frame member of claim 26, wherein lower portions of the rear arm brackets are connected by an extruded angular cylindrical cross pipe, and wherein a work hole is formed through the cross pipe to receive a fastening bolt for change pedals. --

Claim 31 is *amended to*:

-- 31. The body frame member of claim 26, wherein:
a rear end of the down frame member has receiving portions formed with rearward-facing mounting openings;
lower ends of the rear arm brackets have receiving portions formed with forward-facing mounting openings;
front ends of the down tubes are received in and welded to the receiving portions of the rear end of the down frame member; and
rear ends of the down tubes are received in and welded to the receiving portions of the lower ends of the rear arm brackets. --

Claim 36 is *amended to*:

-- 36. The body frame ~~member~~ of claim 35, wherein each third reinforcing member has an approximately U-shaped cross-section comprising front and rear sidewalls extending from front and rear edges of a vertically extending connecting wall. --

Claim 37 is *amended to*:

-- 37. The body frame ~~member~~ of claim 36, wherein:
inwardly facing external faces are defined on upper portions of the connecting walls of the third reinforcing members adjacent the second reinforcing member; and
outwardly facing external faces are formed on lower portions of the connecting walls of the third reinforcing members adjacent the down tubes. --

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A. Scharich whose telephone number is (571) 272-3244. The examiner can normally be reached on M-F 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A.S. – 5/7/2007



Marc A. Scharich
Patent Examiner
Art Unit 3611



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